



**ASSEMBLY AMENDMENT 2,
TO 2009 SENATE BILL 331**

November 5, 2009 – Offered by Representative Vos.

*** AUTHORS SUBJECT TO CHANGE ***

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 2: on page 1, line 9, of the material inserted by senate
3 amendment 1 to senate amendment 3, after “Shares;” insert “terminating child care
4 subsidy payments under Wisconsin Works if a case is referred to the district attorney
5 on suspicion of fraud;”.

6 **2.** Page 21, line 12: after that line insert:

7 **“SECTION 36r.** 49.155 (3m) (g) of the statutes is created to read:

8 49.155 **(3m)** (g) If, on the basis of a reasonable suspicion of fraud on the part
9 of an individual receiving a child care subsidy under this section, a county
10 department or agency refers the matter to a district attorney, the county department
11 or agency may terminate payment of any child care subsidy for child care services
12 provided for a child of the individual. If the county department or agency decides to
13 terminate an individual’s child care subsidy under this paragraph, and the

1 individual does not rectify the situation after notice under s. 49.153 and either does
2 not timely petition for review under s. 49.152 of the termination of benefits or timely
3 petitions for review under s. 49.152 but does not prevail, the individual shall not be
4 eligible for a subsidy again until the earliest of any of the following occurs:

5 1. Six months elapse since the referral and the district attorney has not charged
6 the individual with a crime in connection with the referral.

7 2. All charges filed in connection with the referral are dismissed.

8 3. The trial court reaches final disposition for all charges in connection with the
9 referral and the individual is not adjudged guilty of a crime in connection with the
10 referral.

11 4. The individual was adjudged guilty of a crime in connection with the referral
12 and the conviction is reversed, set aside, or vacated.”.

13 **3.** Page 24, line 1: on page 9, line 17, of the material inserted by senate
14 amendment 3, after “49.155” insert “(3m) (g) and”.

15 **4.** Page 24, line 7: after that line, after the material inserted by senate
16 amendment 3, insert:

17 “(2g) DISCONTINUATION OF CHILD CARE SUBSIDY IF MATTER REFERRED TO DISTRICT
18 ATTORNEY. The treatment of section 49.155 (3m) (g) of the statutes first applies to
19 matters based on a reasonable suspicion of fraud that are referred to a district
20 attorney on the effective date of this subsection.”.

21 **5.** Page 24, line 13: after that line, after the material inserted by senate
22 amendment 3, insert:

1 “(2r) DISCONTINUATION OF CHILD CARE SUBSIDY IF MATTER REFERRED TO DISTRICT
2 ATTORNEY. The treatment of section 49.155 (3m) (g) of the statutes and SECTION 40
3 (2g) of this act take effect on the day after publication.”.

4 (END)